

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

JOHN GILBERT,)
)
 Plaintiff,)
)
 v.)
)
 APC NATCHIQ, INC.,)
)
 Defendant.) Case No: 3:03-CV-00174-RRB
)
 _____)

[PROPOSED] ORDER GRANTING DEFENDANT'S MOTION IN LIMINE

THIS MATTER having come before the Court on Defendant, APC Natchiq, Inc.'s Motion in Limine to exclude plaintiff's expert, Monte Jordon, or in the alternative to limit his testimony, and the Court having considered the memoranda of counsel with authorities and exhibits cited therein,

IT IS HEREBY ORDERED that Defendant's Motion is GRANTED. Mr. Jordon's opinions will not assist the trier and he is, therefore, excluded from testifying at trial or otherwise offering his opinion on the issue of calculating overtime

Alternative Ruling:

[IT IS HEREBY ORDERED that Defendant's Motion is GRANTED IN PART. Mr. Jordon's testimony is limited to calculating overtime per the court's determination as to the proper method of calculating overtime. Mr. Jordon may not offer opinions or testimony regarding the application of the FLSA or AWA to this case.]

DELISIO MORAN
GERAGHTY & ZOBEL, P.C.

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ANCHORAGE, ALASKA
99501-2033

(907) 279-9574

DATED: _____

THE HONORABLE RALPH R. BEISTLINE
UNITED STATES DISTRICT COURT JUDGE

This is to certify that a true copy of the
foregoing was served via electronic service
or U.S. Mail this 4th day of August, 2006,
to the following:

Kenneth L. Covell
712 8th Avenue
Fairbanks, AK 99701

/s/ Jean K. Adams

By: _____
Jean K. Adams

DELISIO MORAN
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